APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/585,225	06/30/2006	Kamfu Wong	397-2	9364

7590   10/19/2009

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EXAMINER
TESFAYE, AKLIL M

ART UNIT	PAPER NUMBER
2423	

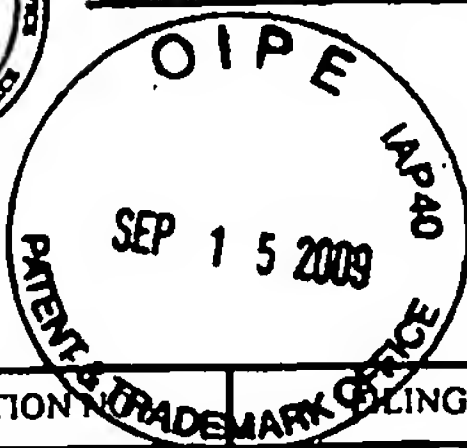| MAIL DATE	DELIVERY MODE
10/19/2009	PAPER

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The time period for reply, if any, is set in the attached communication.

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APPLICATION NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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PTOL-90A (Rev. 04/07)

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 June 2006*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *11-25* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *11-25* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on *30 June 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 11-25 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Thukral (US Patent Application Publication No. 2006/0195866), in view of

Khoo et al. (US Patent Application Publication No. 2002/0100042) in view of

Blasko et al. (US Patent Publication No. 2002/0083444) in view of Sgarglino (US

Patent Application Publication No. 2003/0229893) and further in view of Drake

(US Patent Application Publication No. 2002/0078441).

Regarding claim 11, Thukral discloses a system (see fig. 1 television–

based system 100) for delivering personalized and localized ad (is interpreted as

targeted ads) content to multiple users each having an A/V display (see fig. 1

television-based client systems 104(1-N)) comprising: a plurality of Intelligent

Control Modules (ICM) (see client device 110 (1&2)), each ICM being

operationally coupled to an A/V display for displaying personalized and localized

ad content during programming commercial breaks (see paragraph 0021-0023);

and an Ad Center (see fig. 1 content provider 102) having multi-directional

communications links (see fig. 1 network 106 which is an IP-based network and

paragraphs 0024, 0040-0042) with said plurality of Intelligent Control Modules; at

least one of said ICM and Ad Center being configured to analyze (is interpreted as determine) ads and user info and to select personalized and localized ad content (see paragraphs 0037-0039, 0045-0048) to select personalized and localized ad content for each ICM (see paragraphs 0025-0028, 0030-31); ad content, programming content (see paragraphs 0025) and one or more telecommunication sources (see network 106).

Thukral does not discloses user's personal and local attributes; transmit user's personal and local attributes, user ad search and follow-up requests, and software and firmware updates; wherein users can follow-up and search for additional ad information.

In similar art, Khoo discloses user's personal and local attributes (see paragraphs 0024-0027, 0032) and transmit user's personal and local attributes (see paragraphs 0028, 0032-0033, 0039)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral's system with the teaching of user's personal and local attributes and to select personalized and localized ad content for each ICM based on its corresponding attributes to transmit user's personal and local attributes, as taught by Blasko, in order to deliver targeted advertisements to individual users.

Thukral in view of Khoo does not disclose analyzing ad agencies and advertisers; user ad search and follow-up requests, and software and firmware updates; wherein users can follow-up and search for additional ad information.

In similar art, Blasko discloses analyzing ad agencies and advertisers (see paragraphs 0016, 0028-0031, 0039, 0044, 0051).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral in view of Khoo's system with the teaching of analyzing ad agencies and advertisers, as taught by Blasko, in order to generate a place for a targeted ad as a result of a correlation steps.

Thukral in view of Khoo in view of Blasko does not disclose user ad search and follow-up requests, and software and firmware updates; wherein users can follow-up and search for additional ad information.

In similar art, Sgaraglino discloses user ad search and follow-up requests and wherein users can follow-up and search for additional ad information (see fig. 5 and paragraphs 0018-0019, 0046, 0094, 0100, and 0104).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral in view of Khoo in view of Blasko's system with the teaching of user ad search and follow-up requests and wherein users can follow-up and search for additional ad information through one or more telecommunication sources connected to their ICM, as taught by Sgaraglino, in order to provide an interactive advertising.

Thukral in view of Khoos in view of Sgarglino does not disclose software and firmware updates.

In similar art, Drake discloses software updates (se paragraphs 0028-0029).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral in view of Khoo in view of Blasko in view of Sgaraglino's system with the teaching of software updates, as taught by Drake, in order to update the interactive software in the system.

Regarding claim 12, Thukral in view of Khoo (see fig. 6 and paragraphs 0021, 0029 and 0031-0032) in view of Blasko in view of Sgaraglino in view of Drake further discloses wherein the Ad center (is interpreted as a server) further comprises: a receiving unit configured to receive at least one of TV channels, programs, and ad content from at least one of satellite TV providers, cable TV providers, TV stations, terrestrial TV providers, Internet TV providers, and IPTV; a repository unit configured to store at least one of advertiser information, ad agency information, ad information and user information; an ad database (see Khoo advertising images 515) configured to store at least one of ads, expired ad information and ad follow-up information; an ad output decision making unit (see Khoo determining unit 526 and region determination service 615) configured to perform data processing and decision making based on ad attributes and user attributes associated with each ICM; an ad input/output unit (see Khoo database service layer 630) configured to handle communication with at least one of the ICM and external sources, said communication including distribution of ad sets and/or ad schedules to the intelligent control modules upon generation of user directed ad sets and/or user personalized and localized ad schedules by the ad output decision making unit, user information from the repository unit to intelligent control modules, receipt of user requests, transmission of upload information on

user viewing patterns and/or ad preferences from intelligent control modules; and

an ad control unit (see Khoo personalized advertisement service module 605)

configured to control and monitor all components of said ad center and to

process and dispatch information for, and request and control software updates

for the ICM.

Regarding claim 13, Thukral (see paragraph 0035) in view of Khoo in view

of Blasko in view of Sgaraglino in view of Drake further discloses wherein the

user information includes at least one of access card information, localization

information, user attributes and user viewing patterns and ad preferences

collected by the Intelligent Control Modules.

Regarding claim 14, Thukral (see paragraph 0043) in view of Khoo in view

of Blasko in view of Sgaraglino in view of Drake further discloses wherein the ad

center comprises at least one of a terrestrial TV service provider, a cable TV

provider, a satellite TV provider, an internet TV service provider, an Internet

Protocol (IP) TV service provider, an independent content service provider, a

provider affiliated with said aforementioned service providers, and an

independent personalized and localized ad service provider with interfaces to

said aforementioned service providers.

Regarding claim 15, Thukral (see fig. 4 acquisition server 412) in view of

Khoo in view of Blasko in view of Sgaraglino in view of Drake further discloses

wherein the ICM comprises an independent module integrated with at least one

of a TV; a TV set top box, the A/V display, and a computer.

Regarding claim 16, Thukral (see fig. 4 acquisition server 412) in view of Khoo in view of Blasko in view of Sgaraglino in view of Drake further discloses wherein the ICM comprises an autonomous device residing separate from at least one of a TV; a TV set top box, the A/V display and a computer.

Regarding claim 17, Thukral in view of Khoo in view of Blasko in view of Sgaraglino in view of Drake further discloses wherein the ICM further comprises: an ad decision support unit (is interpreted as processor 912) configured to determine user personalized and localized ad schedules pertaining to channels and time, to collect user viewing patterns based on intelligent programs and event triggering mechanisms, wherein expert business rules and mathematical and statistic models are established on user and ad attributes information, including viewing patterns and user ad preferences (see Thukral paragraphs 0082, 0084-0085); an ad repository unit (is interpreted as input unit 902) configured to store personalizable and localizable ads and non-personalizable and non- localizable ads, which are updated in real-time by the ad center and removed in real-time based on their expiration attributes (see Thukral paragraph 0080) ; an ICM control unit (is interpreted as processor 912) configured to control and monitor all components in the ICM and to detect TV commercial times for showing of personalized and localized ads based on ad schedule generated by the ad decision support unit through a pre-configured ad channel or the current program channel (see Thukral paragraph 0083); a user information unit (is interpreted as monitored information 200) configured to store user attribute information, which is updated through the repository unit, and to store user

viewing patterns collected by the ad decision support unit and ad preferences set up by the user (see Thukral paragraph 0033); an ad follow-up unit (see Sgaraglino fig. 5 server 580) configured to follow up ads for additional or more detailed video and/or data information in real-time or at a later time; an ad preference setup unit (see Thukral paragraphs 0018- 0019) configured to help users setup their ad preferences for a certain period of time, which are used by the ad decision support unit to generate the appropriate personalized and localized ad schedule, wherein ad preferences are based on ad classifications implied by ad attributes, shopping plans for a certain period; an ad search unit (see Sgaraglino paragraphs 0035-0036) configured to search and browse ads with ad attributes and keywords; an input/output unit (is interpreted as audio/video input/output 926) configured to transmit input and output information with interfaces including at least one of the ad center, TV service providers, A/V displays, TV and internet (see Thukral paragraphs 0086); and a remote control unit (see Thukral remote control 908) configured to be used by users to control functions supported by the intelligent control module.

Regarding claim 18, Thukral disclose a method for delivering personalized and localized ad content to multiple users each having an A/V display(see paragraphs 0071-0073), comprising the steps of: providing a plurality of Intelligent Control Modules (ICM) (see paragraph 0076 one or more client devices 110(1-N)), each ICM displaying personalized and localized ad content during programming commercial breaks on an A/V display(see paragraph 0021-0023); establishing a multi-directional communications link (see fig. 1 network

106 which is an IP-based network and paragraphs 0024, 0040-0042) between

said plurality of ICM's and an Ad Center (see fig. 1 content provider 102) for

transmission of ad content, and/or programming content, to each ICM with said

Ad Center; analyzing ads, and user info and selecting personalized and localized

ad content(see paragraphs 0025) for each ICM(see paragraphs 0037-0039,

0045-0048); and connecting one or more telecommunication sources (see

network 106)to each ICM.

Thukral does not discloses user's personal and local attributes; transmit

user's personal and local attributes, user ad search and follow-up requests, and

software and firmware updates; wherein users can follow-up and search for

additional ad information.

In similar art, Khoo discloses user's personal and local attributes (see

paragraphs 0024-0027, 0032) and transmit user's personal and local attributes

(see paragraphs 0028, 0032-0033, 0039)

Therefore, it would have been obvious to one of ordinary skill in the art at

the time of the invention was made to modify Thukral's system with the teaching

of user's personal and local attributes and to select personalized and localized ad

content for each ICM based on its corresponding attributes to transmit user's

personal and local attributes, as taught by Blasko, in order to deliver targeted

advertisements to individual users.

Thukral in view of Khoo does not disclose analyzing ad agencies and

advertisers; user ad search and follow-up requests, and software and firmware

updates; wherein users can follow-up and search for additional ad information.

In similar art, Blasko discloses analyzing ad agencies and advertisers (see paragraphs 0016, 0028-0031, 0039, 0044, 0051).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral in view of Khoo's system with the teaching of analyzing ad agencies and advertisers, as taught by Blasko, in order to generate a place for a targeted ad as a result of a correlation steps.

Thukral in view of Khoo in view of Blasko does not disclose user ad search and follow-up requests, and software and firmware updates; wherein users can follow-up and search for additional ad information.

In similar art, Sgaraglino discloses user ad search and follow-up requests and wherein users can follow-up and search for additional ad information (see fig. 5 and paragraphs 0018-0019, 0046, 0094, 0100, and 0104).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral in view of Khoo in view of Blasko's system with the teaching of user ad search and follow-up requests and wherein users can follow-up and search for additional ad information through one or more telecommunication sources connected to their ICM, as taught by Sgaraglino, in order to provide an interactive advertising.

Thukral in view of Khoos in view of Sgarglino does not disclose software and firmware updates.

In similar art, Drake discloses software updates (se paragraphs 0028-0029).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral in view of Khoo in view of Blasko in view of Sgaraglino's system with the teaching of software updates, as taught by Drake, in order to update the interactive software in the system.

Regarding claim 19, Thukral in view of Khoo in view of Blasko in view of Sgaraglino(see fig. 5 and paragraphs 0018-0019, 0046, 0094, 0100, and 0104) in view of Drake further discloses wherein the step of selecting personalized and localized ad content further comprises performing the ad follow-up request and/or ad search via a first path, said first path comprising the steps of: determining if an ad repository in the ICMs includes additional video and/or data information for a user-interested ad; performing at least one of an ad follow-up and search directly against the Ad Repository within the Intelligent Control Modules; and displaying follow-up details to the users about the user-interested ad via the A/V Display.

Regarding claim 20, Thukral in view of Khoo in view of Blasko in view of Sgaraglino (see fig. 5 and paragraphs 0018-0019, 0046, 0094, 0100, and 0104) in view of Drake further discloses wherein the step of selecting personalized and localized ad content further comprises performing the ad follow-up request and/or ad search via a second path, said second path comprising the steps of: sending at least one of the ad follow-up and ad search requests through an ICM Input/Output Unit in at least one of the ICMs to the Ad Center; conducting at least one of an ad follow-up and ad search in an Ad Database in the Ad Center; and transmitting matching results back to the applicable Intelligent Control Module for viewing.

Regarding claim 21, Thukral in view of Khoo in view of Blasko in view of Sgaraglino (see paragraphs 0035-0036, 0082) in view of Drake further discloses wherein the second path further comprises the steps of: searching the matching results for additional and online video and data information; and providing at least one of a follow-up ad and an internet website to the requesting user.

Regarding claim 22, Thukral in view of Khoo in view of Blasko in view of Sgaraglino (see paragraphs 0035-0036, 0050, 0055-0058) in view of Drake further discloses wherein the step of selecting personalized and localized ad content further comprises performing the ad follow-up request and/or ad search via a third path, said third path comprising the step of: sending at least one of the ad follow-up and ad search requests via an internet connection port on the Intelligent Control Modules.

Regarding claim 23, Thukral (see paragraphs 0029, 0038-0039in view of Khoo see in view of Blasko in view of Sgaraglino in view of Drake further discloses further comprising the steps of: providing an Ad Decision Support Unit in at least one ICM for generating a user personalized and localized ad schedule; and providing an ICM control unit for playing recommended ads to the user based on the ad schedule, wherein triggering of intelligent programs within the Ad Decision Support Unit is event-based.

Regarding claim 24, Thukral in view of Khoo (see paragraphs 0028 and 0032) in view of Blasko in view of Sgaraglino in view of Drake further discloses further comprising the steps of: performing personalization and localization processing by the Ad Decision Support Unit based on ad and user attributes;

determining an applicable ad set for transmission to the user's Intelligent Control

Modules; and determining ad schedules pertaining to a user if the user's viewing

patterns and ad preferences are available, wherein the ad and user attributes are

collected and processed by at least one of the Ad Decision Support Unit and an

Ad Center Output Decision Support Unit for determining at least one of the user

personalized and localized ad schedules and at least one applicable ad set.

Regarding claim 25, Thukral (see Paragraphs 0021, 0024, 0029-0031,

0041) in view of Khoo in view of Blasko in view of Sgaraglino in view of Drake

further discloses steps of: the Ad Center and the Intelligent Control Modules

communicating and exchanging information in real-time with an event-driven

mechanism via the Ad Center Input/Output Unit and the ICM Input/Output Unit;

determining at least one of user applicable and personalized and localized ad

sets and ad schedules; and updating the Ad Center based on at least one of an

addition, change or removal of an ad, user information or user attribute.

Conclusion

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to AKLIL TESFAYE whose telephone number is

(571)270-5685. The examiner can normally be reached on Monday to Thursday

8AM-5PM and Friday 8AM-4PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Andrew Y. Koenig can be reached on (571)272-7296.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. T./
Examiner, Art Unit 2423

/Andrew Y Koenig/
Supervisory Patent Examiner, Art Unit 2423